



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/156,334	09/18/1998	RANJIT N. NOTANI	020431.0463	9944

7590 11/16/2004

BAKER & BOTTS  
2001 ROSS AVE  
DALLAS, TX 752012980

EXAMINER
----------

DIXON, THOMAS A

ART UNIT	PAPER NUMBER
----------	--------------

3629

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

MAILED  
NOV 16 2004  
GROUP 3600

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

Application Number: 09/156,334  
Filing Date: September 18, 1998  
Appellant(s): NOTANI ET AL.

Christopher W. Kennerly  
Reg, No 40,675  
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 01 September 2004.

(1) ***Real Party in Interest***

A statement identifying the real party in interest is contained in the brief.

(2) ***Related Appeals and Interferences***

Art Unit: 3629

The brief does not contain a statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief. Therefore, it is presumed that there are none. The Board, however, may exercise its discretion to require an explicit statement as to the existence of any related appeals and interferences.

**(3) Status of Claims**

The statement of the status of the claims contained in the brief is correct.

**(4) Status of Amendments After Final**

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) Summary of Invention**

The summary of invention contained in the brief is correct.

**(6) Issues**

The appellant's statement of the issues in the brief is correct.

**(7) Grouping of Claims**

The appellant's statement in the brief that certain claims do not stand or fall together is not agreed with because the arguments to groups I and II are to the same feature.

**(8) Claims Appealed**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(9) Prior Art of Record**

5,745,687

Randell

04-1998

Teschler, Leland "Demo proves it -- workflow spec lets messages flow" Machine Design v68n15, (Aug 22, 1996) pp: 74-75.

**(10) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 3629

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-7, 10-12, 15-20, 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Randell (5,745,687) in view of Teschler.

As per Claim 1.

Randell ('687) discloses:

a computer process operable, when executing on a computer to store the set of predefined functions for the distributed workflow that are to be performed at the plurality of distributed nodes, see figure 10B (1024);

the computer-implemented process operable, when executing on the computer system, to manage the workflow by automatically interacting with the workflow at each of the distributed nodes to perform the predefined functions, see figure 5A (508, 520)

the computer-implemented process operable, when executing on the computer to communicate a first one or more of the predefined functions to the first one of the nodes in connection with performance of the first one or more predefined functions at the first node, interact with the first one of the nodes, see 10A (1011);

the computer-implemented process operable, when executing on the computer system, to communicate a second one or more of the predefined functions to a second one of the nodes, see figure 10A (1011).

Randell ('687) does not specifically disclose the physically separated enterprises.

Teschler teaches a Workflow Interoperability Specification, see page 1, lines 10-24, to allow physically separated enterprises to communicate workflow data for the benefit of sharing tasks between more than one company.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to use the Workflow Interoperability Specification to allow physically separated enterprises to communicate workflow data for the benefit of sharing tasks between more than one company.

As per Claim 2.

Randell ('687) discloses:

the computer process operable, when executing on a computer to store the set of predefined functions for the distributed workflow that are to be performed at the plurality of distributed nodes, see figure 10B (1024);

the computer-implemented process operable, when executing on the computer system, to manage the workflow by automatically interacting with the workflow at each of the distributed nodes to perform the predefined functions, see figure 5A (508, 520).

Randell ('687) does not specifically disclose the workflow between a plurality of enterprises.

Teschler teaches a Workflow Interoperability Specification, see page 1, lines 10-24, to allow physically separated enterprises to communicate workflow data for the benefit of sharing tasks between more than one company.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to use the Workflow Interoperability Specification to allow physically separated enterprises to communicate workflow data for the benefit of sharing tasks between more than one company.

As per Claim 3.

Randell ('687) further discloses the communication with an external system, which could be a monitoring system, see column 14, lines 43-64.

As per Claim 4.

Art Unit: 3629

Randell ('687) discloses the set of predefined functions are operable to deploy the workflow to the distributed nodes, see 10B (1024).

Randell ('687) does not specifically disclose the workflow between a plurality of enterprises.

Teschler teaches a Workflow Interoperability Specification, see page 1, lines 10-24, to allow physically separated enterprises to communicate workflow data for the benefit of sharing tasks between more than one company.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to use the Workflow Interoperability Specification to allow physically separated enterprises to communicate workflow data for the benefit of sharing tasks between more than one company.

As per Claim 5, 48.

Randell ('687) discloses:

receiving at the computer system a preliminary collaboration from a first participant, see figure 12 (enter through satisfied);

automatically transmitting the preliminary collaboration to a second participant, see figure 10A (1012);

receiving a response to the preliminary collaboration from the second participant, see figure 12 (1208, 1222) and figure 14 (1408);

automatically transmit the response from the second participant to the first participant, see figure 10A (1012);

receiving a response to the response ultimately resulting in a final collaboration based on the preliminary collaboration and optimized from the participants, see figure 12 (1224) and figure 13.

Randell ('687) does not specifically disclose a first and second enterprise.

Teschler teaches a Workflow Interoperability Specification, see page 1, lines 10-24, to allow physically separated enterprises to communicate workflow data for the benefit of sharing tasks between more than one company.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to use the Workflow Interoperability Specification to allow physically separated enterprises to communicate workflow data for the benefit of sharing tasks between more than one company.

As per Claim 6, 11.

Randell ('687) further discloses the response comprises a comment, see column 14, lines 38-61.

As per Claim 7, 12.

Randell ('687) further discloses a modification to the preliminary collaboration, see figure 11 (1106).

As per Claim 10, 15.

Randell ('687) discloses:

receiving at the computer system an approval from a first and second participant, see figure 12 (enter through satisfied);

receiving a responses to the collaboration, see figure 12 (1208, 1222) and figure 14 (1406, 1408) and automatically transmitting the responses, see figure 10A (1012)

and further discloses communication with an external system, which could be a third participant, see column 14, lines 43-64.

Randell ('687) does not specifically disclose a first and second enterprise.

Teschler teaches a Workflow Interoperability Specification, see page 1, lines 10-24, to allow physically separated enterprises to communicate workflow data for the benefit of sharing tasks between more than one company.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to use the Workflow Interoperability Specification to allow physically separated enterprises to communicate workflow data for the benefit of sharing tasks between more than one company.

Art Unit: 3629

As per Claim 16.

Randell ('687) further discloses requesting approval from the other participant (s), see figure 12 (1206 and 1222).

As per Claim 17.

Randell ('687) further discloses in response to approval communicating to a third participant, see figure 14 (1406).

As per Claim 18.

Randell ('687) further discloses receiving responses to the collaboration, see figure 12 (1208, 1222) and figure 14 (1406, 1408) and automatically transmitting the responses, see figure 10A (1012)

As per Claim 19.

Randell ('687) further discloses to transmitting a signal to all enterprises to which involved in the collaboration, see figure 10A (1011).

As per Claim 20.

Randell ('687) discloses:

receiving a first predefined set of data associated with operation of a first portion of the collaboration at a first node, the set of data having been collected in response to an automatic query of the first node for the first set of data, see figure 12 (1202-1206);

automatically transmitting the first set of data to a monitoring system, see column 14, lines 43-64 and figure 14 (1406);

receiving at the computer system a second predefined set of data associated with operation of a second portion of the collaboration, the second data having been collected in response to an automatic query of the second node for the second set of data, see figure 12.

automatically transmitting the second set of data to a monitoring system, see column 14, lines 43-64 and figure 14 (1406);

Randell ('687) does not specifically disclose a first and second enterprise.

Teschler teaches a Workflow Interoperability Specification, see page 1, lines 10-24, to allow physically separated enterprises to communicate workflow data for the benefit of sharing tasks between more than one company.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to use the Workflow Interoperability Specification to allow physically separated enterprises to communicate workflow data for the benefit of sharing tasks between more than one company.

#### **(11) Response to Argument**

##### ***Response to Amendment Arguments***

As per Claims 1, 3&4 and 2.

Applicant argues that Randell does not disclose predefined executable software function, the predefined functions are seen in lines 3-4 of the abstract and column 2, lines 50-56; and that it's computer system interacts with one of the distributed nodes associated with one of a plurality of physically separated enterprises through performance of the one or more predefined executable software functions at the distributed node, this interaction is seen in the reply from external organization, see column 14, lines 56-61.

Though "physically separated enterprises" does not necessarily mean separate corporate entities, as applicant's specification states as the problem being solved, if "physically separated" is taken to mean separate companies, Randell ('687) does not specifically disclose the physically separated enterprises.

Teschler teaches a Workflow Interoperability Specification, see page 1, lines 10-24, to allow physically separated enterprises to communicate workflow data for the benefit of sharing tasks between more than one company.

Art Unit: 3629

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to use the Workflow Interoperability Specification to allow physically separated enterprises to communicate workflow data for the benefit of sharing tasks between more than one company.

As per Claims 5-7, 12-12, 48.

Applicant argues that Randell does not disclose review of a preliminary collaboration, the review is evidenced by figure 12 (1222, 1208) the satisfaction with or return of the packet as unaccepted; further applicant argues that Randell does not disclose a final collaboration, the final collaboration can be seen by the satisfaction with the current task and the placement of the of the next node in the work queue, which continues as seen in figure 13 conditional loop and eventually goes to figure 13 (1308) waiting for all nodes to be completed which is seen to be a final collaboration.

Though "enterprises" does not necessarily mean separate corporate entities, as applicant's specification states as the problem being solved, if "enterprises" is taken to mean separate companies, Randell ('687) does not specifically disclose the first, second and third enterprises.

Teschler teaches a Workflow Interoperability Specification, see page 1, lines 10-24, to allow different enterprises to communicate workflow data for the benefit of sharing tasks between more than one company.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to use the Workflow Interoperability Specification to allow a first, second and third enterprises to communicate workflow data for the benefit of sharing tasks between more than one company.

As per Claims 15-19.

Applicant argues that Randell does not disclose a final collaboration approved by a first, second and third enterprises. The approval is evidenced by figure 12 (1222, 1208) the satisfaction with or return of the packet as unaccepted; further applicant argues that Randell does not disclose a final collaboration, the final collaboration can be seen by the satisfaction with the current task and the placement of the of the next node in the work queue, which continues as seen in figure 13 conditional loop and eventually goes to figure 13 (1308) waiting for all nodes to be completed which is seen to be a final collaboration. A first, second and third enterprises can be seen in figure 3 (308, 310 and 312) where the actions are split into 3 pieces and offered (310 and 312) and accepted (308) to finally be approved (316).

Though "enterprises" does not necessarily mean separate corporate entities, as applicant's specification states as the problem being solved, if "enterprises" is taken to mean separate companies, Randell ('687) does not specifically disclose the first, second and third enterprises.

Teschler teaches a Workflow Interoperability Specification, see page 1, lines 10-24, to allow different enterprises to communicate workflow data for the benefit of sharing tasks between more than one company.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to use the Workflow Interoperability Specification to allow a first, second and third enterprises to communicate workflow data for the benefit of sharing tasks between more than one company.

As per Claim 20.

Applicant argues that Randell does not disclose a first predefined data and second predefined data having been collected in response to an automatic query of the agents of the first and second data respectively. The data is in packets that are dispatched and replied to, see fig 14 (1406, 1408) and column 15, lines 7-20.

Though "enterprises" does not necessarily mean separate corporate entities, as applicant's specification states as the problem being solved, if "enterprises" is taken to mean separate companies, Randell ('687) does not specifically disclose the first, second and third enterprises.

Teschler teaches a Workflow Interoperability Specification, see page 1, lines 10-24, to allow different enterprises to communicate workflow data for the benefit of sharing tasks between more than one company.


Art Unit: 3629

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to use the Workflow Interoperability Specification to allow a first, second and third enterprises to communicate workflow data for the benefit of sharing tasks between more than one company.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted


Thomas A. Dixon  
Primary Examiner  
Art Unit 3629



November 10, 2004

Conferees

John Weiss, SPE



11-10-04

Dean Nguyen, Primary Examiner



BAKER & BOTTS  
2001 ROSS AVE  
DALLAS, TX 75201-2980